

REMARKS

Favorable reconsideration of this application as presently amended and in light of the following discussion is respectfully requested.

Claims 7 and 9-12 are presently active in this case, Claims 7, 9, and 12 having been amended by way of the present Amendment. Claims 1-6 and 8 have been canceled without prejudice or disclaimer.

The Applicants wish to thank Examiner Faye Fleming for the courtesies extended to Applicants' representative, Christopher Ward, during the personal interview conducted on October 26, 2004. During the interview, the amendments set forth herein were presented, and it was agreed that the amendments define over the Ohlert et al. reference.

Claims 9 and 12 were indicated as being allowable if rewritten in independent form. Claims 9 and 12 have been rewritten in independent form, and thus the Applicants submit that Claims 9 and 12 are in condition for allowance.

Claims 7, 8, 10, and 11 were rejected under 35 U.S.C. 102(b) as being anticipated by Ohlert et al. (U.S. Patent No. 6,340,172). For the reasons discussed below, the Applicants traverse the anticipatory rejection.

In the Office Action, the Ohlert et al. reference is indicated as anticipating each of Claims 7, 8, 10, and 11. However, the Applicants note that a claim is anticipated only if each and every element as set forth in the claims is found, either expressly or inherently described, in a single prior art reference. *Verdegaal Bros. v. Union Oil Co. of California*, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). As will be demonstrated below, the Ohlert et al. reference clearly does not meet each and every limitation of Claim 7.

Claim 7 of the present application recites a device for assisting deployment of an airbag, located at a junction of at least two trim elements of parts of a body of a motor vehicle. A first of the two trim elements is fixed and a second of the two trim elements is configured to be deformed under pressure exerted by the airbag during its deployment. The device including a guide surface oriented from an exit zone of the airbag toward an end part of the second trim element, wherein the end part, which abuts against the guide surface, is located at an external limit of a zone of cooperation between the first and second trim elements, and wherein the guide surface is a part of one of the two trim elements. The Applicants submit that the Ohlert et al. reference fails to disclose all of the limitations recited in Claim 7.

The Ohlert et al. reference describes a gas bag module for a vehicle occupant restraint system. The Official Action cites the C-column lining (52) for the teaching of a first of the trim elements recited in Claim 7, and the headlining (84) for the teaching of a second of the trim elements recited in Claim 7. The Official Action cites the ramp (52) of the Ohlert et al. reference for the teaching of the device for assisting deployment of an airbag recited in Claim 7.

The Applicants respectfully submit that the Ohlert et al. reference fails to disclose a guide surface of the device for assisting deployment of an airbag that is a part of one of the two trim elements, as recited in Claim 7 of the present application. The Applicants submit that the ramp (52) is not a part of either the C-column lining (50) or the headlining (84) of the Ohlert et al. reference. The ramp (52) is described as being secured to the C-column (48) (column 5, lines 32-33), and the ramp (52) is depicted in Figures 6 and 7 as being a separate part from the C-column lining (50) and the headlining (84).

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To the contrary, Claim 7 of the present application recites a guide surface of the device for assisting deployment of an airbag that is a part of one of the two trim elements. By way of illustration and not limitation, the present application describes a non-limiting embodiment in which the guide surface (12) is part of the trim element (10). Such a configuration is not taught by the Ohlert et al. reference.

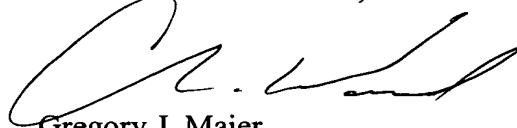
Since the Ohlert et al. reference does not disclose all of the limitations recited in Claim 7 of the present application, then the Applicants respectfully request the withdrawal of the anticipation rejection of Claim 7.

Claims 10 and 11 are considered allowable for the reasons advanced for Claim 7 from which they depend. These claims are further considered allowable as they recite other features of the invention that are neither disclosed, taught, nor suggested by the applied references when those features are considered within the context of Claim 7.

Consequently, in view of the above discussion, it is respectfully submitted that the present application is in condition for formal allowance and an early and favorable reconsideration of this application is therefore requested.

Respectfully Submitted,

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